

## 10. ARTICLE 10 – JOINT ARRANGEMENTS

### 10.1 Arrangements to promote well-being

The Leader may:

- enter into arrangements or agreements with any person or body;
- co-operate with, or facilitate or co-ordinate the activities of, any person or body;
- exercise on behalf of that person or body any functions of that person or body.

### 10.2 Joint arrangements

- (a) the Council may establish joint arrangements with one or more local authorities;
- (b) the Leader may establish joint arrangements with one or more local authorities to exercise functions which are executive functions. Such arrangements may involve the appointment of joint Committees with these other local authorities;
- (c) except as set out below, the Leader may only appoint Cabinet members to a joint Committee and those members need not reflect the political composition of the local authority as a whole;
- (d) the Leader may appoint members to a joint Committee from outside the Cabinet in the following circumstance:
  - the joint Committee has functions for only part of the area of the authority, and that area is smaller than two-fifths of the authority by area or population. In such cases, the Leader may appoint to the joint Committee any Councillor who is a member for a ward which is wholly or partly contained within the area.

In this case the political balance requirements do not apply to such appointments;

- (e) details of any joint arrangements including any delegations to joint Committees will be found in the Council's scheme of delegation in chapter 3 of this Constitution, with the exception of joint overview and scrutiny arrangements, details of which will be found in the Overview and Scrutiny Rules in Chapter 4, Part 5 of the Constitution.

### 10.3 Access to information

- (a) The access to information rules in chapter 4 of this Constitution apply;
- (b) If all the members of a joint Committee are members of the Cabinet in each of the participating authorities then its access to information regime is the same as that applied to the Cabinet;
- (c) If the joint Committee contains members who are not on the Cabinet of any participating authority then the access to information rules in the Local Government Act 1972 will apply.

### 10.4 Delegation to and from other local authorities

- (a) The Council may delegate non-executive and, in some circumstances, with the agreement of the Cabinet, executive functions to another local authority, or in certain circumstances the Cabinet of another local authority;
- (b) The Leader may delegate executive functions to another local authority or the Cabinet of another local authority subject to the Council's Overview and Scrutiny Committees being able to require employees and/or members of the other local authority to co-operate with and if requested appear before any relevant Overview and Scrutiny Committee;
- (c) The decision whether or not to accept such a delegation from another local authority shall be reserved to the Council meeting.

### 10.5 Contracting Out

The Council (for functions which are not executive functions) and the Cabinet (for executive functions) may contract out to another person, body or organisation, functions which may be exercised by an officer and which are subject to an order under Section 70 of the Deregulation and Contracting Out Act 1994, or under contracting arrangements where the contractor acts as the Council's agent under usual contracting principles.

#### *References:*

*Sections 2, 19, 20 LGA 2000*

*Chapters 6 and 9, DETR Guidance,*

*The Local Authorities (Arrangements for the Discharge of Functions) (England Regulations 2000*

*Section 1 Localism Act 2011*